

DISTRICT OF COLUMBIA
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ALCOHOLIC BEVERAGE CONTROL BOARD
+ + + + +
MEETING

IN THE MATTER OF:

Hopeful, Inc.

t/a To Be Determined
2006 18th Street, NW
Retailer CR - ANC-1C
License No. 91955

Fact-
Finding
Hearing

(License in Extended
Safekeeping)

May 1, 2014

The Alcoholic Beverage Control
Board met in the Alcoholic Beverage Control
Hearing Room, Reeves Building, 2000 14th
Street, N.W., Suite 400S, Washington, D.C.
20009, Chairperson Ruthanne Miller, presiding.

PRESENT:

RUTHANNE MILLER, Chairperson
NICK ALBERTI, Member
HERMAN JONES, Member
MIKE SILVERSTEIN, Member
HECTOR RODRIGUEZ, Member

P-R-O-C-E-E-D-I-N-G-S

(5:30 p.m.)

CHAIRPERSON MILLER: All right.

Oh, we are right on time, 5:30, for our To Be Determined license. Okay. So whenever you are ready, if you would introduce yourself for the record?

MS. DRAZEN: Okay. Good afternoon, Board and Chairwoman Miller. My name is Lisa Drazen. I own Hopeful, Inc. and we own a Commercial Restaurant Liquor License with an entertainment endorsement in the Adams Morgan Moratorium Zone.

We bought the license to be leased with the property on Columbia Road, 1815 Columbia Road. It is a property that I bought from my parents in 1986. They own Comet Liquor. I gave the property to my parents. I was running a business, my own business in Bethesda.

My parents' passed and I inherited the property. So we realized that we were

1 located on a food destination block in a
2 gentrifying area and we bought the license to
3 compliment the property. We sit between two
4 Washingtonian Top 100 Restaurants, Cashions
5 and Mintwood, and we thought it was probably
6 appropriate to buy a license and to lease to
7 a restaurant tenant.

8 So I can respond to the questions
9 in your letter or I can just keep speaking.
10 I'm not sure what you prefer.

11 CHAIRPERSON MILLER: Oh, okay.
12 You have questions? Well, look at the
13 questions. I'm not sure I have that letter in
14 front of me, so --

15 MS. DRAZEN: Okay. Well, I --

16 CHAIRPERSON MILLER: I'm sure they
17 are relevant questions.

18 MS. DRAZEN: Your letter asked our
19 status of operations. We are in the process
20 of leasing this site. We have had over 1,000
21 contacts and conducted over 400 tours. And
22 now that Adams Morgan is undergoing extensive

1 gentrification, we have serious prospects and
2 we expect LOIs or Letters of Intent on the
3 building.

4 And we assume that the Letters of
5 Intent will include the use of a liquor
6 license.

7 CHAIRPERSON MILLER: May I ask
8 you, these Letters of Intent to sell or to buy
9 or to lease?

10 MS. DRAZEN: To lease, to lease.
11 The intent of my mother's trust, the Berniece
12 J. Drazen Trust, for which I am trustee and
13 for which there are beneficiaries, is to lease
14 the building for the long-term as an income-
15 producing property.

16 And we recognize that the
17 gentrification of Adams Morgan is part of a
18 larger gentrification in Washington, D.C. that
19 is being driven by the second machine age, an
20 age where computers are the equivalent of the
21 human mind. They are as smart as the human
22 mind. And that we are in an age of brilliant

1 technologies.

2 CHAIRPERSON MILLER: What -- can I
3 interrupt you for a minute?

4 MS. DRAZEN: Yes.

5 CHAIRPERSON MILLER: And ask you
6 what the next question is that our letter
7 asked?

8 MS. DRAZEN: Well, your letter
9 just wanted to know we were doing with the
10 license and we intend to lease hopefully to a
11 restaurant.

12 CHAIRPERSON MILLER: Okay.

13 MS. DRAZEN: We are a retail
14 building and our retailing has been completely
15 upended by the Internet. There is very little
16 retailing on Columbia Road and we must lease
17 to a service business. 95 percent of the
18 interest in our building has been food and
19 beverage.

20 But until now, it has been very
21 difficult to lease, because we either did not
22 have a credit-worthy tenant or there were no

1 banks lending. In the last 90 days, we have
2 had three banks approach us for loans to
3 tenants to build-out in the building if they
4 are credit-worthy, meaning they have
5 sufficient capital in their balance sheet to
6 qualify for, I presume, an SBA loan or a small
7 business loan.

8 And because of that, leasing has
9 been slow. It's been slow in Adams Morgan and
10 it has been slow at our site. I know it took
11 Josh Bernstein, who is next to me and he did
12 not have a liquor license, four years to lease
13 his vacant site on Columbia Road.

14 And it is take -- we have been in
15 the leasing process for two and a half years.
16 The good news is that after the harsh winter,
17 the first warm week we had, we had 10 tours of
18 the building. And in the last 24 hours, I
19 have scheduled three restaurant tours,
20 restaurant operator tours at the building, but
21 we are still searching for the appropriate
22 tenant that is credit-worthy and can handle a

1 license and the building appropriately.

2 CHAIRPERSON MILLER: Okay. Thank
3 you. So I'm not sure if you were here
4 earlier, but we have been talking to licensees
5 about a six month period in which to come back
6 to the Board and show definite leases,
7 contracts.

8 MS. DRAZEN: I think you are being
9 very harsh in that expectation. And I'm not
10 saying you are wrong, but I am saying having
11 stood in front of that building almost every
12 day for two and a half years, I have done
13 things like catch pedestrians dogs and
14 bicycles for potential clients, tenants.

15 I have talked with tenants from
16 France and from all over the United States.
17 I'm doing this leasing work myself, because
18 leasing agents absolutely refuse to do the
19 hard work it takes to lease in Adams Morgan.

20 And there are, unfortunately, as
21 it turns out, leasing challenges in Adams
22 Morgan. I don't know if they are shared in

1 the rest of the community. I made a list of
2 the leasing challenges and I'm happy to share
3 them with you, if you would like. I have some
4 document of our efforts in an attempt to give
5 you a clear picture of what it is like to
6 actually stand on the street and talk to
7 tenants.

8 In terms of leasing challenges
9 that we faced from September 1 through April
10 30 and I'll bullet them for you and if you
11 would like details, please ask.

12 The DC Economic Partnership
13 website listed Adams Morgan as a place where
14 people urinate in the street and bomb it. We
15 had to have that information removed. Kristin
16 Barden did that for us. She is the Executive
17 Director of the Adams Morgan BID. It took 18
18 months. 18th Street Reconstruction for close
19 to 18 months, we were unable to physically
20 show our property, because people just
21 wouldn't come to Adams Morgan to look.

22 Obtaining liquor license to buy

1 our liquor license to enhance the market of
2 our building took two years. We bought from
3 an out-of-town licensee. The license had been
4 pledged in a debtor/creditor dispute. We had
5 to help resolve that dispute by making the
6 payment to the debtor -- to the creditor. So
7 it was a three-way settlement.

8 Leasing brokers. Unfortunately,
9 it's a free-for-all out there with leasing
10 brokers. We work with five and we found them,
11 frankly, not to do their work. And I have a
12 list of their names and the unfortunate things
13 we encountered with them, probably not worth
14 reviewing here, but you can certainly read it
15 if you would like.

16 Harassment. We face major street
17 harassment from, unfortunately, our neighbors
18 and from people active on 18th Street. And it
19 is verbal abuse. I was accosted many, many
20 times in front of my building and sometimes in
21 front of Mintwood, by the owner of Mintwood,
22 screamed at, yelled at, you know, we don't

1 want you on our sidewalk. We don't want your
2 prospective tenants on our sidewalk.

3 You have to -- from people on 18th
4 Street, the head of the Merchants Association
5 there, he told me I had to reduce my lease
6 rate. I had to take whatever I could get.
7 And I -- after my research of the city and the
8 gentrification in Adams Morgan, I kept
9 thinking no. These people are -- I think they
10 are attacking me because they don't understand
11 the changes that are occurring in the city.

12 And what is happening in the city
13 is there are vagabonds, inevitable. It's
14 about the city changing in response to the
15 computer age.

16 CHAIRPERSON MILLER: Can I ask you
17 -- I don't mean to interrupt, but --

18 MS. DRAZEN: Right.

19 CHAIRPERSON MILLER: I think it
20 was helpful to hear the obstacles you have
21 overcome.

22 MS. DRAZEN: Right.

1 CHAIRPERSON MILLER: But I also
2 want to ask you, what do you think is a fair
3 amount of time for you to be able to --

4 MS. DRAZEN: For me to finish
5 leasing my building?

6 CHAIRPERSON MILLER: Yes.

7 MS. DRAZEN: I would say about a
8 year, simply because I'm going to have to keep
9 wading through three or four calls a day, two
10 or three or four or five tours a week until I
11 find a credit-worthy tenant that the bankers
12 at Wells Fargo or Eagle bank or Mena Bank
13 assuming they are willing to make a loan.

14 I could have put a major shop in
15 my building if I wrote him a check, I gave him
16 a gift, of \$600,000 and gave him four years of
17 free rent. I have had major restaurant groups
18 come in, local, regional, D.C. restaurant
19 groups come into my building and tell me they
20 will occupy my building if I give them 10
21 years of free rent. And I refused to deal
22 with that.

1 So the hurdles have been enormous
2 and I'm not here to dump a whole truck load of
3 debris on your heads, but I do want you to
4 know that we work very hard to demonstrate to
5 our potential, our prospective tenants what is
6 going on. We have two websites, one on Costar
7 and one on Loopnet. We had over 22,000 hits
8 in the last 60 days on our websites, that
9 converts to about 151 click-throughs and the
10 tours that we are talking about.

11 We have a map that one of my
12 colleagues -- may I bring this to you?

13 CHAIRPERSON MILLER: Okay.

14 MS. DRAZEN: May I bring this to
15 you?

16 CHAIRPERSON MILLER: Okay.

17 MS. DRAZEN: We have a map --

18 CHAIRPERSON MILLER: Thank you.

19 MS. DRAZEN: -- identifying Adams
20 Morgan. There are seven major developments
21 being built within 10 minutes of my site. It
22 is over \$5 billion of development. Very few

1 people know about it and it's happening. It's
2 not being written up on Urbanturf or the
3 Washington Post.

4 I don't understand why we are not
5 getting more positive information out about
6 it. People are finding out this information
7 on my websites.

8 CHAIRPERSON MILLER: Okay. So it
9 doesn't sound like you are really that far
10 apart from what the Board was talking about,
11 though maybe I didn't get to the whole thing.
12 We are supposed to review in six month
13 increments --

14 MS. DRAZEN: Right.

15 CHAIRPERSON MILLER: -- under the
16 law. So we would want to review --

17 MS. DRAZEN: I'm happy to come
18 back.

19 CHAIRPERSON MILLER: -- in six
20 months, but I'm sure Mr. Jones will say what
21 we would like to see in six months is
22 something fairly specific if we could, you

1 know, that you --

2 MS. DRAZEN: I can give you --

3 CHAIRPERSON MILLER: -- if you are
4 there.

5 MS. DRAZEN: -- lots of
6 specificity right now.

7 CHAIRPERSON MILLER: No.

8 MS. DRAZEN: I've got my --

9 CHAIRPERSON MILLER: We need more
10 than --

11 MS. DRAZEN: -- I've got a list of
12 400 prospective tenants.

13 CHAIRPERSON MILLER: Okay.

14 MEMBER SILVERSTEIN: Ms. Drazen?

15 MS. DRAZEN: I've got my
16 Streetscape loan application, so that I can do
17 improvements to my building.

18 CHAIRPERSON MILLER: Yes.

19 MS. DRAZEN: I have got my receipt
20 for my renewal. My entire settlement file for
21 the purchase of my license. And I also have
22 pro formas to open my own restaurant in the

1 building, if we can't find a suitable tenant.

2 CHAIRPERSON MILLER: Okay. So --
3 do you want to say something?

4 MEMBER SILVERSTEIN: I just want
5 to say there is an extraordinarily successful
6 place right next door to you.

7 MS. DRAZEN: He has been in the
8 building for 30 years and he negotiated his
9 lease for five years with the tenant.

10 MEMBER SILVERSTEIN: The Duplex
11 Diner?

12 MS. DRAZEN: The owner. What?

13 MEMBER SILVERSTEIN: Isn't the
14 Duplex Diner next to you?

15 MS. DRAZEN: No.

16 MEMBER SILVERSTEIN: No?

17 MS. DRAZEN: Mintwood Place is
18 next to me.

19 MEMBER ALBERTI: Which one?

20 MS. DRAZEN: Then Saied Azali's
21 Mintwood Place. He negotiated -- he has been
22 in that building for 25 to 30 years with

1 Perry's. They negotiated with Ann Donahoe,
2 who is one of my neighbors in Bethesda for
3 five years before occupying the site.

4 MEMBER SILVERSTEIN: You are in
5 the same block with that and with the diner?

6 MS. DRAZEN: There is --

7 MEMBER SILVERSTEIN: Duplex Diner?

8 MS. DRAZEN: I am not on the block
9 with the diner and Tryst. They are on 18th
10 Street.

11 MEMBER RODRIGUEZ: Right.

12 MEMBER SILVERSTEIN: I'm looking
13 here at the map of 18th Street.

14 MS. DRAZEN: I'm not on 18th
15 Street. I'm on Columbia road.

16 MEMBER SILVERSTEIN: I mean a
17 Google Map.

18 CHAIRPERSON MILLER: Yes. She is
19 on Columbia Road.

20 MEMBER RODRIGUEZ: Yes, she is on
21 Columbia Road.

22 MEMBER ALBERTI: Columbia Road.

1 MEMBER SILVERSTEIN: Okay. Sorry.

2 CHAIRPERSON MILLER: Mr. Jones,
3 did you want to say something?

4 MEMBER JONES: I just want to be--
5 okay, so when we are talking about specifics--

6 MS. DRAZEN: Yes?

7 MEMBER JONES: -- we are referring
8 to a definitized plan to move forward to
9 either make utilization of the license or to
10 sell it. So the specifics you have there,
11 they are fine, but they are not applicable to
12 the need that we are trying to have met. And
13 that is specifically how is it that you, the
14 license holder, are going to make use of the
15 license, either directly or through its sale
16 and that is what we are looking for --

17 MS. DRAZEN: We're going to lease
18 the --

19 MEMBER JONES: -- a definitive
20 plan.

21 MS. DRAZEN: -- license to the
22 tenant.

1 MEMBER JONES: So I need a
2 definitive tenant who? I need a name.

3 MS. DRAZEN: They will have to
4 appear.

5 MEMBER JONES: So at -- exactly.
6 So at the six month mark --

7 MS. DRAZEN: And it's either going
8 to be my company --

9 MEMBER JONES: At the six month
10 mark, that's the type of definitive specific
11 that we are looking for, not just a receipt
12 that you paid this or a brochure of a tour
13 that you did. That's what we need to see, a
14 definitized plan. And that plan could be I
15 was unable to find an individual that was
16 willing to lease at the rate that I was
17 wanting to charge, so, therefore, I am
18 deciding to make a business decision to use
19 the license myself and open up my own
20 restaurant or Path C could be I'm going to
21 sell the license and these are the potential
22 people to whom I am selling to.

1 MS. DRAZEN: I think you are
2 conditioning the leasing of the building based
3 on the rent.

4 MEMBER JONES: I'm not
5 conditioning it based on anything.

6 MS. DRAZEN: That's what I just
7 heard.

8 MEMBER JONES: I'm telling you
9 that we are looking for a definitized course
10 of action as to how you are going to make use
11 -- the key here is --

12 MS. DRAZEN: You just said it's --

13 MEMBER JONES: -- make -- that's
14 not a plan. That's just fodder. As far as
15 I'm concerned, it's just stuff, a bunch of
16 paper that you are throwing in the air.
17 That's not a plan.

18 A plan is a definitive course of
19 action that has time associated with it with
20 a result. Right now, you don't have that.
21 And at the six month mark, we are looking for
22 that definitized plan.

1 MS. DRAZEN: And what should the
2 plan say, please? Please, dictate it.

3 MEMBER JONES: I just specified.
4 It needs to specifically --

5 MS. DRAZEN: But is what I'm doing
6 now not a plan?

7 MEMBER JONES: No, that's not a
8 plan. That's not a plan to make use of the
9 license. That's a hope. Right now, we are
10 looking for a definitized plan with some
11 specifics tied to it, i.e., the name of an
12 individual or a company that is going to lease
13 the space that is going to make use of the
14 license.

15 MS. DRAZEN: The space is already
16 leased to Hopeful, Inc.

17 MEMBER JONES: Who is going to
18 make use? There is an and that's associated
19 with that.

20 MS. DRAZEN: Hopefully.

21 MEMBER JONES: You lease the
22 license and you lease --

1 MS. DRAZEN: Hopeful, Inc. is
2 currently using the license. Hopeful, Inc.
3 has a lease on the building and is using the
4 license to lease to another --

5 MEMBER JONES: The one that is in
6 safekeeping?

7 MS. DRAZEN: We are doing the best
8 we can to lease this building.

9 MEMBER JONES: That's not what I'm
10 asking you. You are saying that the license
11 is currently being used.

12 MS. DRAZEN: I cannot conjure --

13 MEMBER SILVERSTEIN: Wait. Hold
14 on, Mr. Jones, so she can answer your --

15 MEMBER JONES: No, no, no. You
16 just confused me, so maybe I missed something.
17 You are telling me that you are using the
18 license that is currently in safekeeping?

19 MS. DRAZEN: The building is
20 leased to Hopeful, Inc.

21 MEMBER JONES: Is Hopeful, Inc.
22 using the license that is in --

1 MS. DRAZEN: Not currently. I
2 broke my shoulder last July. I was just
3 released from doctor's care.

4 MEMBER JONES: That's all fine and
5 good.

6 MS. DRAZEN: And disability
7 insurance.

8 MEMBER JONES: Is the plan for
9 Hopeful, Inc. --

10 MS. DRAZEN: And I just started
11 working --

12 MEMBER JONES: Ma'am? Ma'am, is
13 the plan for Hopeful, Inc. to use the license
14 that's in safekeeping? That's all we are
15 trying to figure out.

16 MS. DRAZEN: We are trying to make
17 that determination now.

18 MEMBER JONES: Okay.

19 (Simultaneous talking.)

20 MS. DRAZEN: Whether we are going
21 to lease to a restaurant --

22 MEMBER JONES: Excellent. And

1 that is what the plan --

2 MS. DRAZEN: -- or --

3 MEMBER JONES: -- that's what a
4 specific plan would be --

5 MS. DRAZEN: -- Hopeful, Inc. will
6 be --

7 MEMBER JONES: -- at the six month
8 mark.

9 MS. DRAZEN: -- using the license.

10 MEMBER JONES: So at the six month
11 mark, you need to have the specific choice
12 been made and then showing us how you are
13 going to close on that in the following six
14 months.

15 MS. DRAZEN: I'm afraid that I
16 can't control the market out there and I can't
17 -- I can come in here in six months and tell
18 you what has happened and I can tell you I
19 made every best effort to offer this property
20 for lease and to develop my own business plan.

21 MEMBER JONES: Okay. So let me
22 convey this to you.

1 MS. DRAZEN: But in six months --

2 MEMBER JONES: And if you say
3 now --

4 MS. DRAZEN: -- if I can't -- I
5 can't come in here -- I can't make a promise
6 to you that any of these things will be
7 resolved in six months. I can only come in
8 here and tell you that I'm going to make my
9 best efforts to come in and tell you how the
10 license will be used.

11 But like any property owner in the
12 city, I do not control the licensees or the --
13 I'm sorry, the tenants or the banks or the
14 shops who might want to sign on to work. I
15 can't control any of those things. You are
16 asking me -- perhaps I'm misreading what you
17 are saying.

18 MEMBER JONES: Do you have --

19 MS. DRAZEN: If you are asking me
20 to --

21 MEMBER JONES: -- control over
22 what you are asking for? Do you have control

1 over the asking price? Do you have control
2 over how you utilize your space? Do you have
3 control over --

4 MS. DRAZEN: Not as much as I
5 would like.

6 MEMBER JONES: That's not what I
7 asked. I'm trying to understand, do you have
8 any control whether it's as much as you would
9 like or not, do you have any control over
10 those elements?

11 MS. DRAZEN: I -- the only control
12 I have is the ability to screen and qualify a
13 credit-worthy tenant. I do not have \$1
14 million to change the use of my building.
15 Okay?

16 MEMBER JONES: Well, I'll just
17 tell you this --

18 MS. DRAZEN: I do not have the
19 ability --

20 MEMBER JONES: That's fine, ma'am.

21 MS. DRAZEN: -- to be the chef.

22 MEMBER JONES: With all due

1 respect, with all due respect, I just want you
2 to understand that at the six month mark, I
3 have clearly articulated to you what I, as an
4 individual Board Member, what we collectively
5 are looking for.

6 MS. DRAZEN: I understand what you
7 are looking for, but I --

8 MEMBER JONES: And if you are
9 unable --

10 MS. DRAZEN: -- am not sure --

11 MEMBER JONES: If you are unable--

12 MEMBER SILVERSTEIN: Use your
13 gavel. Use your gavel.

14 MS. DRAZEN: -- you are being
15 reasonable.

16 MEMBER SILVERSTEIN: She is
17 interrupting him.

18 MEMBER JONES: -- to meet that
19 benchmark, then there is a chance --

20 MEMBER SILVERSTEIN: Every single
21 thing he says, she is interrupting him.

22 MEMBER JONES: -- that we will

1 cancel your license at that six month mark.
2 And if you do have a demonstrated plan that we
3 are willing to accept at that six month mark,
4 then we may, may provide you with an
5 additional six months in order to bring use of
6 your license to fruition, either use or sale.
7 And that is not unreasonable from our
8 perspective. It's the same construct that we
9 have applied to many before you.

10 So that is our position. I just
11 wanted to make sure you are understanding and
12 clear. Whether you agree with it or not,
13 whether you think it is harsh or not, my
14 objective is to make sure that you are clear
15 in the understanding of it, so you realize the
16 consequence of your action or lack thereof
17 between now and the next six months.

18 MS. DRAZEN: I certainly
19 understand.

20 MEMBER JONES: That's all I was
21 looking for. Thank you.

22 MS. DRAZEN: I think --

1 MEMBER JONES: Thank you, Madam
2 Chair.

3 MS. DRAZEN: -- I would like you
4 to understand that we make our best efforts to
5 meet your very harsh expectations.

6 MEMBER JONES: Thank you.

7 MEMBER RODRIGUEZ: Madam Chair?

8 CHAIRPERSON MILLER: Yes, Mr.
9 Rodriguez?

10 MEMBER RODRIGUEZ: Yes, ma'am.
11 You know, that side of Adams Morgan that's the
12 quiet side of Adams Morgan, the Columbia Road
13 side where the restaurants are. There are
14 some nice properties there, nice restaurants
15 that do very well.

16 Grill from Ipanema is located
17 there. They seem to be attracting clients,
18 people, even celebrities go there.

19 Cashions is also -- when I walk
20 through there, I see Cashions full of
21 customers.

22 Mintwood Place. People are lined

1 up to get into Mintwood Place.

2 Perry's has incredible lines on
3 weekend there and so forth, so that, to me,
4 that is probably the most advantageous place
5 to put a restaurant and to use your license.

6 18th Street, of course, is a little
7 noisier and that's where people have been, you
8 know, negatively putting publicity about it,
9 but really the Columbia Road side is the quiet
10 side.

11 You've got Napoleon's also.
12 That's the quiet side of Adams Morgan, a very
13 pleasant kind of restaurant area.

14 MS. DRAZEN: It's extremely
15 pleasant. We are working very hard to find a
16 tenant who will be equivalent to that
17 pleasantness. I could put -- I could lower my
18 rent and I could put an operator in there that
19 would end up probably in front of this Board
20 or in front of the ANC-1 every month.

21 MEMBER RODRIGUEZ: Uh-huh.

22 MS. DRAZEN: I could compromise

1 very quickly and make use of my license, lower
2 my rent and give you exactly the operator that
3 you don't want.

4 MEMBER RODRIGUEZ: Well, you know,
5 Mr. Jones was talking about a plan and that he
6 said well, lower your rent. Well, sometimes,
7 you know, in a plan we have to take into
8 account all the market forces, so that you are
9 not taking a loss or a bath. We are not
10 asking you to take a bath or a loss, but we
11 are asking you to take a realistic look at the
12 market forces.

13 You seem to understand those
14 market forces and we do, too. We understand
15 the market forces and many of us live in some
16 of those neighborhoods where a lot of things
17 are occurring.

18 So it would seem to me that you
19 ought to take another look at this, look at
20 the more positive sides of that strip there
21 and then take a close look at your --

22 MS. DRAZEN: Sir --

1 MEMBER RODRIGUEZ: -- marketing
2 plan.

3 MS. DRAZEN: -- I talk, I talk to
4 four people every day. We sometimes do two
5 and three tours a day of this building. The
6 hurdle -- there are two hurdles. One, we
7 don't want to put an operator in the building
8 that is going to end up being disciplined by
9 you constantly or have knife fights and you
10 have to close them. Okay. We don't want
11 someone who is going to come in and be
12 abusive.

13 And secondly, we want someone who
14 is going to maintain the quality of the block.

15 MEMBER RODRIGUEZ: Well, I said
16 that you turn to your business plan as --

17 MS. DRAZEN: And finding someone
18 like --

19 MEMBER RODRIGUEZ: -- part of your
20 business plan --

21 MS. DRAZEN: -- that is very
22 difficult.

1 MEMBER RODRIGUEZ: -- as far as
2 I'm not going to tell you how to do your
3 business plan, but certainly those are matters
4 you need to take into account. I'm not here
5 to lecture you on a business plan, but,
6 obviously, you do understand what Mr. Jones
7 was talking about, right, as far as --

8 MS. DRAZEN: I definitely
9 understand it, but at the same time define the
10 quality of tenant that inhabits my block is
11 extremely difficult.

12 MEMBER RODRIGUEZ: That's part of
13 your marketing plan.

14 (Simultaneous talking.)

15 MS. DRAZEN: It's --

16 MEMBER RODRIGUEZ: And in your
17 marketing plan you have to be able to segment
18 out, that -- that's what a marketing plan is
19 and part of your --

20 MS. DRAZEN: Sir, I know. I --

21 MEMBER RODRIGUEZ: -- plan.
22 That's exactly what Mr. Jones was talking

1 about.

2 MS. DRAZEN: -- do this 24 hours a
3 day, seven days a week. I'm doing it myself,
4 because leasing agents refuse to do the work.
5 What they do is they walk away. They sign for
6 four months to six months. They walk away.
7 They come back in four to six months and they
8 have done absolutely nothing and say I want to
9 buy your building.

10 They try to take advantage of the
11 situation.

12 MEMBER RODRIGUEZ: Right.

13 MS. DRAZEN: We are doing our very
14 best to put a reasonable, suitable tenant in
15 the building. We are even looking to our own
16 resources to open our own restaurant. We
17 understand the need for a plan. Being -- I'm
18 upset that you don't understand that I'm
19 working at this full-time. I'm no longer
20 running my own business.

21 I am trying to meet the
22 expectation, your expectations and the

1 expectations of my neighborhood, the Board,
2 the beneficiaries of the trust and it is
3 proving to be a daunting task. It is very,
4 very difficult.

5 We believe we can succeed and if
6 we have to put a tenant in the building that
7 is not a restaurant, then we will do that and
8 we will sell our license. At this point,
9 people are not moving quickly. I'm on the
10 verge of receiving LOIs. We have had
11 contractors and architects in the building.
12 I'm showing the building again tomorrow at
13 2:30, again at 11:00 on Monday, again on
14 Thursday 11:00 a.m.

15 We are working, working, working
16 constantly. It's not as if we didn't come to
17 the hearing because we don't care.

18 MEMBER RODRIGUEZ: Right.

19 MS. DRAZEN: We -- I came down
20 here when I got your letter and I renewed my
21 license out of my personal savings. We are
22 doing everything possible to meet your

1 expectations.

2 There is a world out there that is
3 in such flux that I can't predict to you what
4 people are going to do and that's why I'm very
5 hesitant and upset that you are asking me to
6 make a promise that maybe I can't keep.

7 CHAIRPERSON MILLER: Okay.

8 MS. DRAZEN: That's why I'm upset.
9 I am as genuine as I can be and I'm working as
10 hard as I can to meet the expectations of the
11 Board.

12 MEMBER RODRIGUEZ: Well, we
13 appreciate that. And yes, we want to work
14 with you. We are not trying to -- you know,
15 but we want to make sure that these licenses,
16 you know, are put into use and that others
17 have an opportunity.

18 MS. DRAZEN: Yes, sir.

19 MEMBER RODRIGUEZ: I don't know if
20 you were here earlier, we did not, you know,
21 not just pertaining to you, we have been
22 talking to everyone about these licenses today

1 in a fair way and an equal way and we have not
2 singled you out in any way.

3 MS. DRAZEN: Yes, sir.

4 MEMBER RODRIGUEZ: We know you are
5 working hard. And, you know, we hope that,
6 you know, you have the success that we are
7 looking for you to have.

8 MS. DRAZEN: Right.

9 MEMBER RODRIGUEZ: So, Madam
10 Chair, that's all I have.

11 MS. DRAZEN: Okay.

12 CHAIRPERSON MILLER: Mr. Jones?

13 MEMBER ALBERTI: Just a real quick
14 question?

15 CHAIRPERSON MILLER: Mr. Alberti?

16 MEMBER ALBERTI: Ms. Drazen, I'm
17 curious, you said that upcoming you have
18 several clients that are prospective tenants
19 that you are showing.

20 MS. DRAZEN: I'm sorry, I'm heard
21 of hearing.

22 MEMBER ALBERTI: You said that in

1 the next few days, over the course of the next
2 week you have several prospective tenants that
3 you are showing this to. I'm trying to
4 understand who you are marketing this to.
5 What kinds of businesses are these prospective
6 tenants in?

7 MS. DRAZEN: We have had about
8 1,000 contacts.

9 MEMBER ALBERTI: No, no. In the
10 next week you listed --

11 MS. DRAZEN: They are all
12 restaurants.

13 MEMBER ALBERTI: They are all
14 restaurants?

15 MS. DRAZEN: 95 percent of our
16 contacts are food and beverage.

17 MEMBER ALBERTI: So I'm getting
18 the sense that you are really focused now --
19 I mean, you are taking a narrow focus right
20 now to the restaurants. Is that correct?

21 MS. DRAZEN: I'm sorry. Please,
22 you don't understand. I don't dictate who

1 comes to see my site. It is self-generated.

2 MEMBER ALBERTI: No, no, no, no.

3 You misunderstand me, because I'm listening to
4 you very closely.

5 MS. DRAZEN: Okay.

6 MEMBER ALBERTI: And you said
7 well, if I can't rent it to a restaurant,
8 well, then I might just rent it to retail and
9 sell the license.

10 MS. DRAZEN: I said --

11 MEMBER ALBERTI: You said -- wait,
12 wait. You said that and that led me to
13 believe that your focus right now -- because
14 I have -- you said it. It was your words.
15 Your focus right now is to rent to a
16 restaurant.

17 MS. DRAZEN: Sir --

18 MEMBER ALBERTI: Is that not true?
19 I'm trying to under -- we are looking for a
20 plan. I'm trying to understand what your plan
21 is right now.

22 MS. DRAZEN: My plan is that we

1 have received over 1,000 contacts on this
2 site. When we categorize our contacts, 95
3 percent are food and beverage. About 5
4 percent are pet care and doggie care, pet
5 supplies and doggie care.

6 MEMBER ALBERTI: Okay.

7 MS. DRAZEN: And then we have got
8 1 or 2 -- we have had one cosmetic surgeon, a
9 dentist and a few other --

10 MEMBER ALBERTI: Do you --

11 MS. DRAZEN: -- sources.

12 MEMBER ALBERTI: -- pursue all of
13 them with the same --

14 MS. DRAZEN: Absolutely,
15 absolutely. They have to undertake the
16 challenge of converting --

17 MEMBER ALBERTI: Okay.

18 MS. DRAZEN: -- a dry goods store
19 into a restaurant.

20 MEMBER ALBERTI: Okay.

21 MS. DRAZEN: And that's really
22 what the challenge is. Right now, you have to

1 understand --

2 MEMBER ALBERTI: No, I'll take you
3 at your word. That's fine, that's fine. I
4 have my answer.

5 MS. DRAZEN: -- that has taken
6 away retail from Adams Morgan and retail may
7 not come back unless it is curated retail.

8 MEMBER ALBERTI: I am well-aware
9 of --

10 MS. DRAZEN: Individualistic
11 customized and not found on the net.

12 MEMBER ALBERTI: We are well-aware
13 of the business climate out there. So thank
14 you.

15 MS. DRAZEN: It's incredibly
16 challenging.

17 MEMBER ALBERTI: Okay. I have
18 nothing further. Thank you.

19 CHAIRPERSON MILLER: Okay.

20 MEMBER ALBERTI: I just wanted to
21 be clear of what I was hearing. Thank you.

22 MS. DRAZEN: Well, most of the 95

1 percent are dreamers. They are. They don't
2 have the capital to change the use of the
3 building.

4 CHAIRPERSON MILLER: Okay. So we
5 hear you and I understand that you don't have
6 control of the market or whatever. And you
7 have to answer to beneficiaries, etcetera, I
8 understand that.

9 So we have a job, too, and we are
10 not supposed to let these licenses languish
11 too long not being used.

12 MS. DRAZEN: How long has mine
13 been languishing?

14 MEMBER SILVERSTEIN: Excuse us.

15 CHAIRPERSON MILLER: Right. Yours
16 has been a year, I gather. A year, which is
17 not as long as some others.

18 MS. DRAZEN: Right.

19 CHAIRPERSON MILLER: And so what
20 we are doing is, you know, we're extending up
21 to six months goal. And some key Members of
22 the Board, you know, see it more strictly than

1 others, but because some do, I would recommend
2 to you -- you know, sometimes we need
3 deadlines, you know, aim for that six months.

4 MS. DRAZEN: Believe me, I would
5 like to be leased next week.

6 CHAIRPERSON MILLER: Right,
7 exactly.

8 MS. DRAZEN: I'm sick of this
9 myself.

10 CHAIRPERSON MILLER: All right.
11 Okay. So you do, you know, the best you can
12 to lease it.

13 MS. DRAZEN: I'm not sick of this
14 meeting. I'm sick of --

15 MEMBER ALBERTI: Thank you.

16 CHAIRPERSON MILLER: It sounds
17 like you have a great space and you have got
18 interest and, you know --

19 MS. DRAZEN: But it's just an
20 endless task and --

21 CHAIRPERSON MILLER: Right.

22 MS. DRAZEN: -- I'm doing it

1 because --

2 CHAIRPERSON MILLER: So we want to
3 put an end to it.

4 MS. DRAZEN: -- I'm a trustee.

5 CHAIRPERSON MILLER: Yes.

6 MEMBER SILVERSTEIN: Madam Chair,
7 put an end to this hearing.

8 CHAIRPERSON MILLER: Okay.

9 MS. DRAZEN: Well, I know that you
10 all are doing the best you can. I'm doing the
11 best I can. We are all being governed by a
12 law that is probably the industrial age.

13 CHAIRPERSON MILLER: Okay. So let
14 me tell you --

15 MS. DRAZEN: It's a moratorium and
16 you need a new law and a different public
17 policy --

18 CHAIRPERSON MILLER: Okay.

19 MS. DRAZEN: -- for governing
20 licenses.

21 CHAIRPERSON MILLER: So but we
22 have to operate under the laws that are in

1 effect right now.

2 MS. DRAZEN: Right.

3 CHAIRPERSON MILLER: So what I am
4 going to do is we're going to set a status in
5 six months. And you should -- I'm not asking
6 you to make any promises. But if I were you,
7 I would work very hard to make that deadline
8 to, you know, sell or lease or whatever. If
9 you can't make it, that deadline, then be
10 prepared to show us why.

11 But I can tell you that -- I can't
12 tell you that all Board Members are going to
13 be sympathetic. I don't know. So I would say
14 you should really strive for that goal. And
15 it sounds like it -- it does sound like it may
16 be within your reach, even though you are not
17 -- you can't control the whole market.

18 So what we would expect in
19 hopefully six months, for your sake, is that,
20 you know, you have a lease or an offer or
21 something definite about this is where the use
22 is going to be. You know, I'm going to lease

1 it to this person or whatever.

2 You know, it may not be done. You
3 don't have to have transferred any license by
4 then. Then we give you six months to finish,
5 but we need to see, hopefully, that you have
6 done that. If you can't, you can explain why,
7 but if I were you, I would try very hard to do
8 that and I think it sounds within your reach,
9 because you have such a great product.

10 So if you have --

11 MS. DRAZEN: We are delighted to
12 take your advice and all of our efforts for
13 the past two and a half years have been
14 exactly aligned with all of your interests.
15 We are not here to be disruptive or act
16 stupidly in your eyes or to offend you.

17 We are here to tell you that we
18 have worked maybe even harder than most to
19 meet your goals.

20 CHAIRPERSON MILLER: Yes, we heard
21 that and heard your obstacles and, you now,
22 that's all in the record. And I appreciate

1 that. All I can say is I would hate to see
2 your license canceled. So do the best you can
3 with that six month deadline and, you know, we
4 will see you in six months.

5 If you don't make it, you will
6 explain why. But I think you should take it,
7 you know, seriously and do the best you can
8 with it.

9 MS. DRAZEN: Oh, believe me we
10 have taken it more than seriously and I
11 apologize if I have offended anyone with my
12 outspokenness. It wasn't intended to be
13 offensive. It's simply because it has been
14 such a struggle.

15 And now, we are starting to see
16 the light. We are actually seeing people who
17 are --

18 CHAIRPERSON MILLER: Right.

19 MS. DRAZEN: -- perhaps viable
20 tenants.

21 CHAIRPERSON MILLER: Which is
22 great, which is great.

1 MEMBER JONES: So just to be
2 clear, no offense taken, but I want to make
3 sure our assertiveness in presenting our
4 position to you was to make sure that you are
5 clear about what it is. Trying hard, all that
6 other stuff doesn't weigh a whole lot in terms
7 of our understanding --

8 MS. DRAZEN: You want to see
9 results.

10 MEMBER JONES: -- of the results.

11 MS. DRAZEN: Yes, you want to see
12 results.

13 MEMBER JONES: If I can have -- I
14 am a results-oriented Board Member.

15 MS. DRAZEN: Yes.

16 MEMBER JONES: I think the Board,
17 in general, is looking for results. So just
18 no offense taken, but make sure -- all we have
19 done was taken on your part.

20 MS. DRAZEN: We want the results
21 that you want.

22 CHAIRPERSON MILLER: Okay.

1 MS. DRAZEN: So I think all the
2 interests are aligned.

3 CHAIRPERSON MILLER: Okay.
4 Wonderful. Thank you very much for coming
5 down and explaining your situation. And good
6 luck to you.

7 MEMBER RODRIGUEZ: We wish you
8 good luck.

9 MS. DRAZEN: Thank you.

10 MEMBER RODRIGUEZ: You seem to be
11 working pretty hard.

12 MS. DRAZEN: Extremely hard.
13 Would you all like to look at our offering
14 materials? Perhaps you have a friend who
15 would like to lease a building?

16 CHAIRPERSON MILLER: We can't
17 really do that.

18 MEMBER JONES: Conflict.

19 CHAIRPERSON MILLER: Yeah, that's
20 a conflict.

21 MEMBER JONES: Yes.

22 MS. DRAZEN: Okay. But thank you.

1 CHAIRPERSON MILLER: We looked at
2 your map, that looked good.

3 MS. DRAZEN: Thank you.

4 MEMBER RODRIGUEZ: But Adams
5 Morgan is a great place.

6 MS. DRAZEN: Well, one day
7 hopefully it will be an even greater place,
8 because we all worked so hard to make it that
9 way. Thank you.

10 MEMBER RODRIGUEZ: Thank you.

11 CHAIRPERSON MILLER: Thank you.

12 MEMBER JONES: Thank you.

13 CHAIRPERSON MILLER: Okay. I
14 think that completes our hearings, does it, on
15 the safekeeping?

16 And I just want to mention for the
17 record that we did get a letter from ANC-1C
18 asking us to aggressively -- work aggressively
19 to cancel any restaurant licenses within the
20 Adams Morgan Moratorium Zone that have
21 languished in safekeeping.

22 And we also got a letter -- and

1 email from Denis James, President of the
2 Kalorama Citizens Association.

3 I don't think I want to summarize
4 it though.

5 MEMBER ALBERTI: I don't think
6 it's necessary.

7 CHAIRPERSON MILLER: It's in the
8 record.

9 MEMBER ALBERTI: I don't think it
10 is necessary. I'm sure that is what spurred
11 Mr. Jones in discussions.

12 CHAIRPERSON MILLER: Really? Oh.
13 Okay. So that completes our afternoon for
14 hearings and then we come back in a short
15 while to do our agenda. Thank you.

16 (Whereupon, the Fact-Finding
17 Hearing in the above-entitled matter was
18 concluded at 6:09 p.m.)
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